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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (PIL) No. 86 of 2017**

Durgesh Patel S/o Shri Ram Manohar Patel, Aged about 36 years, R/o Qr. No. M-2, Songanga Colony, Seepat Road, Sarkanda, Bilaspur, Tahsil and District Bilaspur, Chhattisgarh.

---- Petitioner**Versus**

1. The State of Chhattisgarh, through: the Secretary, Revenue Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, PS Rakhi, Tahsil and District Raipur, Chhattisgarh.
2. The Collector, Bilaspur, District Bilaspur, Chhattisgarh.
3. The Sub Divisional Officer (Revenue) Bilaspur, District Bilaspur, Chhattisgarh.
4. The Tahsildar, Bilaspur, District Bilaspur, Chattisgarh.
5. The Revenue Inspector, Bilaspur Circle, District Bilaspur, Chhattisgarh.

---- Respondents

For Petitioner : Shri S.C.Verma, Advocate.

For Respondents/State : Shri Y.S.Thakur, Additional Advocate General

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri Sharad Kumar Gupta, J.

Judgment on Board**Per Thottathil B. Radhakrishnan, Chief Justice****12/07/2017**

1. This writ petition is filed seeking its entertainment in public interest. The plea projected by the Petitioner is that the official Respondents are not preventing the encroachments on to the government lands mentioned in

the writ petition and are not conserving those lands which have been encroached upon. The Petitioner pleads that encroachments be ordered to be removed and demarcation of the lands may also be done.

2. We are not inclined to entertain the personal claim made by the Petitioner for identifying any land on the basis of the sale deed in his favour since this is a public interest litigation. However, the question relating to complaints of encroachment on to the government lands can be taken care by recourse to appropriate proceedings by the competent authority. This writ petition is accordingly ordered directing that if the Petitioner has any complaint about the encroachment on any government land or that there is imminent threat of encroachment over any such land, he may file appropriate representation before the competent official Respondents, who will then look into such complaint and proceed with due action as called for in accordance with law.
3. It is clarified that any person who would be entitled to notice of any proceeding that the official Respondents may initiate, will be provided with such notice and no decision shall be taken without affording opportunity of hearing to any person who is eligible to such notice.
4. The writ petition is ordered accordingly.

Sd/-

(Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-

(Sharad Kumar Gupta)
JUDGE